IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 31327 of 2007(D)

PETITIONER:

DEVAKI, W/O. LATE SUKUMARAN,
MARAKKAPARAMBIL HOUSE, KOOTTUNGAL CHIRA,
EDAVANAKKAD P.O.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL

RESPONDENTS:

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1. THE ASST.ENGINEER,
ELECTRICAL SUB DIVISION, VYPIN, MALIPPURAM,
ERNAKULAM.

2. THE ADDL. DISTRICT MAGISTRATE,
ERNAKULAM.

3. A.M. PAVITHRAN,
ANCHALASSERY HOUSE, KOOTTUNGAL CHIRA,
EDAVANAKKAD P.O.

4. K.S.E.B.,
REP. BY SECRETARY, THIRUVANANTHAPURAM.

BY SRI.P.P.THAJUDEEN, RI AND R4
SRI.P.N. SANTHOSH, SR. GOVERNMENT PLEADER FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J

W.P.(C). 31327/2007

Dated this the 26th day of October, 2007

JUDGMENT

Learned Standing Counsel, on instructions, submits following the order dated 22.10.2007, that there is a boundary dispute on the western aspect of the pathway to Pavithran's residence and obstructions are raised if there is any attempt to draw the line through that way. It is also submitted that two trees standing on the pathway, as discernible from Ext.P3, which are to be cut for the purpose of drawal of the proposed line, have already been cut and removed. I do not therefore, find any ground on which Ext.P2 is to be interfered with by this Court. However, drawal of the line shall not result in felling of any more trees. It shall also be ensured by the officials of the Board that due compensation, in accordance with law, for the trees that have been cut down, is paid.

Writ petition is disposed of as above.

THOTTATHIL B. RADHAKRISHNAN
Judge

mrcs